

PROCEDURE FOR OBTAINING AN INITIAL LICENSE TO OPERATE A GROUP CHILD CARE CENTER

1. Determine the need for the program you are considering. Involve other agencies and members of your community. Use the information you gather to decide what kind of program you will offer. Contact your local Child Care Resource and Referral Agency for detailed information for your area. The Wisconsin Child Care Resource and Referral Agency listing is enclosed.
2. Read and study the enclosed "HFS 46 Licensing Rules for Group Day Care Centers for Children."
3. Complete the enclosed form "Group Child Care Business Start-Up Worksheet" and send it to the Wisconsin Child Care Improvement Project (WCCIP) at:

WCCIP
P.O. Box 369
Hayward, WI 54843

The WCCIP will assign a child care technical advisor (TA) to help you prepare for an initial licensing study. Because there are certain rules that must be met before a license can be issued, your WCCIP TA will provide a checklist that identifies those items. The TA will complete the checklist during a visit with you and will detail those items that you will need to complete before you submit the application for a license. **(NOTE: Your WCCIP TA is not a Department licensing specialist and does not have the authority to issue you a license. The TA provides information and assistance that will help you prepare for the initial licensing study and will provide an application for a license upon completion of the technical assistance.)**

4. Decide on a legal structure for the business – sole proprietorship, partnership, or corporation. Is it "For-Profit" or "Not-For-Profit"? Determine who is financially and legally responsible.
5. Prepare a business plan including start-up and operating budgets. Add any costs to apply for necessary permits including those related to meeting applicable regulations (see # 6, 7 and # 8). Select a site and determine the related costs.
6. Ensure that the building meets the Wisconsin Commercial Building Codes. A building inspection conducted by one of the following is required:
 - ◆ A certified building inspector from a city certified by the state to do inspections (your WCCIP TA will have a list of certified cities).
 - ◆ A Wisconsin registered architect or engineer (registered in accordance with Wisconsin Administrative rules A-E for Architects and A-E 4 for Engineers).
 - ◆ A commercial building inspector certified by the Department of Commerce in accordance with Comm 5, Credentialing Code. Individuals falling into this category might be self-employed, employed by a municipality that is not on the list of certified cities, or employed by a private independent inspection firm. See "Building Inspection Services" in most telephone directory yellow pages.

Before a license may be issued, you must document compliance with all applicable Wisconsin Commercial Building Codes by submitting a report completed by the inspector to the Department of Commerce and the regional Licensing Specialist.

7. Ensure that the building where the center will be located meets the applicable licensing regulations. The building must have at least 35 square feet of usable space for each child counted in capacity. Hallways, bathrooms and storage areas are not considered usable space. Some items must be deducted from usable space in a classroom. Items that are deducted from the usable space include but are not limited to sinks, cribs, teacher and children's storage units (i.e. cubbies), refrigerators and other appliances.

Licensing rules require a sink for diaper changing/handwashing in each room or area where children under age 2 receive care. This sink must be separate from any sink that is used in food preparation. The Department recommends 2 sinks at least 18 inches apart or separated by an 8-inch tall barrier so that one sink can be used for diaper changing and handwashing with the other used for food preparation.

The requirements for the numbers of toilets and sinks available in the licensing rules may differ from the number of toilets and sinks required to comply with the Wisconsin Commercial Building Codes. If this is the case, the licensing rules must be followed.

8. Check with your municipality regarding any zoning requirements that may affect where the group child care center will be located. The local zoning authority can help explain the procedure for obtaining a conditional use permit if necessary. Obtain any other necessary permits including a building plan review if there will be any alterations/renovations to building.
9. Contact the Internal Revenue Service to obtain a Federal Tax Identification number (FEIN) which must be included on the application for licensure.
10. Request a well inspection and water test by the Department of Natural Resources if the facility is not served by a public water system. Include nitrate testing if you plan to care for infants less than 6 months of age.
Note: Centers using a private well that serves at least 25 of the same people over 6 months of the year are considered to have a non-transient non-community water system (NTNC) and must be in compliance with Administrative Code NR 809, Safe Drinking Water Act Standards. Contact the Department of Natural Resources at www.dnr.state.wi.us/org/caer/cs/ServiceCenter/SSbyRegion.html for information.
11. Develop policies and procedures for your program in the following areas:
 - ◆ Admission.
 - ◆ Discharge of enrolled children.
 - ◆ Fee payments and refunds.
 - ◆ Personnel including job descriptions, hours of work, lunch and break times, holidays, vacations, sick leave, leaves of absence, probationary periods, performance evaluations, grievance procedures and the disciplinary process.
 - ◆ Health care (including SIDS risk reduction procedures).
 - ◆ Nutrition.
 - ◆ Education.
 - ◆ Child guidance.
 - ◆ Emergency evacuations.
 - ◆ Continuing education of staff.
 - ◆ Orientation of new staff.

A written contract between the center and the parent is recommended. Policies and procedures should be detailed and written so staff will know what your expectations are. Some policies and procedures such as admission requirements, tuition and fee payments, nutrition, health care, child guidance and educational plan may be incorporated into a parent handbook that is shared with parents upon enrollment.

You can obtain policy guidelines and sample policies and procedures from the Child Care Information Center at 1-800-362-7353. The Child Care Information Center also has information on SIDS risk reduction procedures to share with staff and parents.

12. Decide who will assume the responsibilities of administrator and center director. Ensure that there are sufficient staff hired to meet the required staff-to-child ratios. The administrator, center director and child care teachers must have obtained the required education and experience prior to assuming the position. See "HFS 46 Licensing Rules for Group Day Care Centers for Children" for definitions and qualifications. Courses used to meet entry-level training requirements can be obtained through the Wisconsin Technical College System or UW system as well as from some private colleges and universities. If you wish to take entry level training offered by an agency not affiliated with a technical college or university, check with The Registry at (608) 222-1123 or registry@the-registry.org before enrolling to verify the agency has received DFHS approval to offer entry level training.
13. Arrange necessary liability insurance for premises and appropriate auto insurance, owned or non-owned (if you plan to transport children). A certificate of insurance or an insurance binder will need to be submitted with the application for a license.

14. Check with a lawyer, accountant and/or governmental agency to determine any obligations regarding income tax withholding, social security contributions, worker's compensation and unemployment compensation.
15. Obtain equipment and furnishings. Set up your child care space. A list of suggested equipment is available for the Child Care Information Center; call 1-800-362-7353 to obtain this list.
16. Obtain any forms needed for either the children's files or staff files. The Department has developed forms that meet the requirements of the rules. Copies of DHFS forms are available on the DHFS/DCFS/BRL homepage at www.dhfs.state.wi.us/rl_dcfs/INDEX.HTM. If you don't have access to the Internet, the WCCIP TA can tell you how to get one copy of each form by mail.
17. Complete an HFS-64 Background Information Disclosure form and submit it to the regional office when you submit the application. If the licensee will be a corporation, a representative of that corporation must submit the Background Information Disclosure form. If the center will be located in a residence, any household members aged 10 years and older will also need to complete a Background Information Disclosure form to be submitted with the license application. The regional office will complete a background check on all applicants for licensure and adult household residents. Minor household residents under age 18 will not need to have a complete background check unless the Department determines a complete check is required. A "Yes" answer to any question in Section A of the Background Information Disclosure form may preclude you from obtaining a license. Required background checks will be completed at the time of initial licensure and every four years thereafter. Consult your WCCIP TA more information about the background check process.
18. **After you have completed working with the WCCIP, you are not yet licensed** and will need to submit the following items to the regional office serving your area (see enclosed listing) in order to become licensed:
 - ◆ CFS-2242 Group Child Care Initial Licensing Checklist completed by the WCCIP TA. You will need to complete the applicant section of the Group Child Care Initial Licensing Checklist not more than 14 days prior to submitting the application for a license.
 - ◆ Completed CFS-65 Group Day Care Center License Application available from your WCCIP TA .
 - ◆ Completed HFS-64 Background Information Disclosure forms for the licensee(s)—or, in the case of a corporation, a representative of the corporation—and for persons aged 10 years and over living in the center.
 - ◆ \$7.50 fee for each Background Information Disclosure form enclosed for each applicant for licensure or adult household resident.
 - ◆ Certificate of insurance for general liability insurance coverage and vehicle liability insurance if transportation is provided by the center. The certificate of insurance must include non-owned vehicle liability insurance if children will be transported in vehicles not owned by the licensee.
 - ◆ Center policies and a completed CFS-2048 Group Day Care Policy Checklist.
 - ◆ Copy of the building inspection that indicates the building is in compliance with all applicable Commercial Building Codes.
 - ◆ Any other materials indicated on the CFS-2242 Group Child Care Initial Licensing Checklist.
19. **Allow at least 60 working days after the submission of all application materials (including fees) as a projected opening date** to allow for a complete review by your licensing specialist, including results from required background checks.

To avoid unnecessary delays in the licensing process, it is important that you have met all applicable items in the CFS-2242 Group Child Care Initial Licensing Checklist before the application is submitted and the initial site visit is scheduled with the Department. If the licensing specialist makes a visit and you are not in compliance with all applicable requirements of HFS 46, you will not receive a license.

Items not in compliance with the licensing rules will be identified and you will be instructed to request another initial licensing study when all the items have been met. When you notify the Department to schedule another visit, the Department will attempt to make a visit within the next 20 working days. It may take longer depending on regional licensing workloads. If you are not in compliance after 2 visits, your application for a license may be denied because you do not meet the requirements for a license.

20. You are required to do a background check through the Department of Justice on your administrator, all employees, persons working in the center who have contact with the children, persons having contact with children who are compensated from other sources, student teachers and volunteers used to meet staff-to-child ratios. Give each prospective employee an HFS-64 Background Information Disclosure and ask them to complete this form. Review the form using the information contained in PFS-3063 Requirements for Background Checks for Group Day Care Centers and Day Camps, which is available from your WCCIP TA. **Note: You will not be able to complete the background checks on employees until after a license has been issued and you have a valid facility ID number.** You will have 60 days after initial licensure to complete the background check process on employees provided the employee has completed an HFS-64 Background Information Disclosure form that doesn't indicate a crime, act or offense that bars the person from working in a child care facility.
21. A licensing fee of \$30.25 plus \$8.47 for every child your center is licensed to serve is charged every two years. This fee is prorated to $\frac{1}{4}$ of the total fee for a probationary license. Your licensing specialist will determine the actual fee you need to pay based on your licensed capacity. This fee must be paid prior to issuance of the license.
22. Under the authority of s. 48.73, Wis. Stats., the Department must be granted unrestricted access to your premises for the purpose of monitoring your compliance with the licensing rules. If you fail to allow access to a Department representative, the Department shall take enforcement action against your license under s. 48.715, Wis. Stats., including issuance of orders, forfeitures or revocation of your license. In addition, if the Department is unable to monitor for compliance or verify correction of licensing violations, it may affect your eligibility to receive child care subsidy payments pursuant to DWD 56.04(7)(c).